

OCT. 9. 2003 3:43PM 858 792-6773 FOLEY AND LARDNER

NO. 4697 P. 1

**FOLEY & LARDNER**

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Art Group 1631 U.S. Patent and Trademark Office		(703) 872-9307

From : Richard San Pietro  
Email Address : rsanpietro@foleylaw.com  
Sender's Direct Dial : 858.847.6717  
Date : October 9, 2003  
App. Serial Number : 09/372,474  
Client/Matter No : 025098-0701  
User ID No : 0079

**RESPONSE UNDER 37 C.F.R. § 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 1631**

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Atty. Dkt. No. 025098-0701

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: BAIRD et al.

Title: DESIGN, SYNTHESIS AND USE  
OF SPECIFIC POLYAMIDE DNA-  
BINDING LIGANDS

Appl. No.: 09/372,474

Filing Date: 08/11/1999

Examiner: A. Marschel

Art Unit: 1631

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. (703.672.8307)	
<i>Line Gauthier</i> (Printed Name)	<i>Line Gauthier</i> (Signature)
October 9, 2003 (Date of Deposit)	

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OCT 09 2003

Mail Stop AF  
 Commissioner for Patents  
 PO Box 1450  
 Alexandria, Virginia 22313-1450

**OFFICIAL**

Sir:

Transmitted herewith for filing in the above application are the following:

- 1) Notice of Appeal in Duplicate (4 pages); and
- 2) Amendment (8 pages).

The Commissioner is hereby authorized to charge the \$110.00 extension fee and any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: Oct. 9, 2003

Respectfully submitted,

FOLEY & LARDNER  
Customer Number: 30542

30542  
 PATENT TRADEMARK OFFICE  
 Telephone: (858) 847-6700  
 Facsimile: (858) 792-6773

By Richard San Pietro

Richard San Pietro  
 Attorney for Applicant  
 Registration No. 45,071

Atty. Dkt. No. 025098-0701

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: BAIRD et al.

Title: DESIGN, SYNTHESIS AND USE  
OF SPECIFIC POLYAMIDE  
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<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. (703.872.9307)	
<hr/> <i>Line Gauthier</i> (Printed Name) <hr/> <i>Reine Gauthier</i> (Signature) <hr/>	
<i>October 9, 2003</i> (Date of Deposit)	

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated July 9, 2003, and the Advisory Action dated , of the Examiner finally rejecting Claims 1, 38, and 42-45.

Applicant claims small entity status.

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

To be paid as detailed below

Not required (Fee paid in prior appeal)

Atty. Dkt. No. 025098-0701

The required fees are calculated below:

[ X ]	Notice of Appeal Fee	\$330.00
[ ]	Extension month:	\$0.00
[ ]	Extension:	\$0.00
	FEE TOTAL:	\$330.00
[ X ]	Small Entity Fees Apply (subtract ½ of above):	\$165.00
	TOTAL FEE:	\$165.00

- [ X ] Please charge Deposit Account No. 50-0872 in the amount of \$165.00. A duplicate copy of this transmittal is enclosed.
- [ ] A check in the amount of \$165.00 is enclosed.
- [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: Oct. 9, 2003

Respectfully submitted,

FOLEY & LARDNER  
Customer Number: 30542



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PATENT TRADEMARK OFFICE

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By Richard San Pietro

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071